



Save the Children



10 Year Goals for the Global Initiative To Fight Human Trafficking

Submission by Save the Children, Amnesty International, Anti-Slavery International, Global Alliance Against Traffic in Women

Introduction

Save the Children, Amnesty International, Anti-Slavery International and the Global Alliance Against Traffic in Women consider that the adoption and implementation of the following 10 goals as a framework for action for the Global Initiative to Fight Human Trafficking, launched by the UNODC would result in real progress towards the eradication of trafficking in human beings. We therefore urge states to adopt these goals at the International Conference against Human Trafficking scheduled to take place in Vienna on 27-29 November 2007 and to commit themselves to achieving these 10 Goals within the next 10 years.

Goal 1: Adopt a human rights approach in counter-trafficking policies and action.

States should ensure that respect and protection of human rights are at the core of all policies and measures taken at the local, national, regional and international level to

counter trafficking in human beings.

Adopting a human right approach requires an understanding of the mix of causes, including the violations of human rights, that lead to individuals being targeted for trafficking. It requires the creation and implementation of effective prevention policies which address root causes, including poverty, lack of access to education, unemployment, restrictive migration policies, gender inequality and other forms of discrimination. A human rights approach also requires the participation of and consultation with affected groups, including children, at all stages of policy and practice development and at all political levels. Ensuring unconditional assistance and protection of trafficked persons based on individual needs and risk assessment and an ongoing human rights impact analysis of policies and measures aimed at combating trafficking are also fundamental elements of a human rights approach.

Goal 2: Invest in improving and increasing prevention efforts.

States should increase the resources and efforts aimed at preventing the trafficking of persons. Prevention efforts should be based on good quality research and up-to-date data on the vulnerability to and on patterns of trafficking. For this purpose, the links between poverty, migration, discrimination and trafficking should be examined. Existing prevention mechanisms should be mapped and evaluated and where necessary improved mechanisms should be designed. Such mechanisms should include, inter alia: effective information programmes (including on safe migration and labour rights) aimed at empowering those most frequently targeted for exploitation; family support and social protection mechanisms; safe channels for remittance transfer; and an effective legislative framework. They should also address issues leading to vulnerability to trafficking; assess cases of positive deviance (cases where the same pattern of vulnerability existed but no trafficking occurred), and address the risk of re-trafficking.

Goal 3: Prioritise the protection of the human rights of trafficked persons in all policies and practices related to human trafficking.

States should ensure effective mechanisms for the identification of trafficked persons and provide information on rights, protection, assistance and remedies available. States should offer a full range of protection and support measures, as well as medical professional, legal and

psychosocial assistance which address the particular needs and risks faced by the individual and, where applicable, of members of their families. Such protection and assistance should be offered on a consensual and informed basis. .

Assistance and protection measures should not be conditioned on an individual's cooperation in law enforcement efforts against those responsible for their trafficking. Trafficked persons should not be charged, detained or prosecuted in connection with the illegality of their entry or residence in a country or their involvement in unlawful activities if these were a consequence of their situation as a trafficked person.

The best interest of the child should be at the core of all action taken with respect to trafficked children. A trafficked child's right to privacy should be respected and the views of children should be sought and taken into account.

Repatriation of trafficked persons should not be carried without an in depth individual needs and risk assessment, and an assessment of assistance and protection available in the country of origin. No person should be repatriated in face of a real risk to their safety, including a real risk of re-trafficking.

Goal 4: Tackle child trafficking as a matter of urgency with the aim of eradicating it by 2016.

The International Labour Organisation's 2006 global report on child labour calls on states to renew their efforts to eliminate the worst form of child labour, including trafficking, by 2016. States should take

immediate steps to ensure they achieve this goal by the target date. For this purpose, states should develop effective child protection systems, i.e. a continuum of services to prevent, identify, report, refer, address, treat and provide services to children at risk of being trafficked and to their families. For this purpose states should ensure adequate financial and human resources to establish and maintain such systems; define mandates, identify accountabilities and promote cooperation and integration among stakeholders.

Goal 5: Take immediate and effective steps to ensure access to justice for trafficked persons and an end to impunity for traffickers.

States should ensure, as a matter of urgency, that victims are able to obtain adequate reparation, including compensation, restitution, satisfaction, rehabilitation, and guarantees of non-repetition. States should take the necessary measures to bring those responsible for trafficking of human beings to justice in fair proceedings. Witness protection mechanisms offering protection before, during and after any criminal proceeding should also be established and funded. Victims of trafficking should be provided with the information, the necessary support and adequate assistance to access effective remedies and mechanisms. A Fund should be created to finance the cost of reparation for victims of trafficking.

Goal 6: Tackle as a matter of urgency the range of forms of exploitation to which trafficking victims are subjected.

States should establish and enforce specific policies and legal and regulatory frameworks targeting the range of formal and informal sectors where trafficked persons are exploited. In recognition of the linkages between trafficking, migration and exploitation, states should provide legal and safe channels for migration and implement minimum labour standards. Anti-trafficking concerns should be incorporated into programmes on enhancing corporate social responsibility and accountability. The private sector should develop codes of conduct designed to protect both national and foreign workers from exploitation, which should be enforced throughout the supply chain.

Specific attention should be paid to Child labour and the commercial sexual exploitation of children: legislation governing minimum age of employment, hours of work, list of hazardous forms of work for children, corporal punishment, entitlement to rest and leisure should be developed and implemented. Specific anti-exploitation measures should be put in place to protect children on the move, including children who migrate with their families and children who migrate alone.

Appropriate monitoring and compensation mechanisms should be put in place.

Goal 7 : Ensure Synergy and Coordination of Counter Trafficking Efforts and Protection Programs

between agencies involved in tackling trafficking at the national and international level.

At the national level, states should ensure the creation and functioning of OSCE-modelled National Referral Mechanisms on trafficking of human beings. Similar bodies should be established at the international and regional levels to coordinate agencies and organizations working on the issue of human trafficking with a view to tackling trafficking effectively in countries of origin, transit and destination.

Goal 8: Improve as a matter of urgency the collection and analysis of data about persons at risk or who have been trafficked.

States and donors should take immediate steps to improve the quality and quantity of data on trafficking of persons. Data and information should be collected to elicit information about the causes of trafficking to assess risks and vulnerabilities to trafficking. Data should include statistics on: numbers of people identified as trafficked within the borders of a state or transnationally, (with an indication of the identification protocol used); number of trafficked or suspected trafficked persons reached by social services; number of trafficked persons in shelters; number of trafficked children in non-formal education and/or mainstreamed into formal education; number of arrests, prosecutions, convictions, sentences following conviction; and reparation to trafficked persons. Data should always be disaggregated by gender, age and forms of exploitation. Human rights should be respected in the collection of

data, including the right to privacy and other data protection principles. The best interest of the child should always guide the collection of data about trafficked children.

Goal 9: Achieve universal ratification and implementation of the Palermo Protocol.

All States should commit to signing, ratifying and implementing the Palermo Protocol and include provisions in their domestic law which criminalises all forms of trafficking of men, women and children. An amending Protocol to the Palermo Protocol should be adopted, ratified and implemented which should, *inter alia*, increase the focus on the respect for and protection of the human rights of trafficked persons and establish an independent body of experts to assist and monitor the implementation of the Palermo Protocol. This expert body should, among other things, be mandated to carry out country visits and consider collective complaints and publicly report on its findings and recommendations concerning the implementation of the Palermo Protocol.

Goal 10: Establish a Global Fund to provide resources targeted at tackling human trafficking.

A Fund should be established to ensure coordination, consistency and long-term sustainability of financing of anti-trafficking programmes which respect and protect human rights. Such fund should prioritise the financing of comprehensive systems of prevention, protection and assistance for trafficked persons and ensure adequate

reparation to victims of trafficking. Additionally, it should support trafficked persons' organisations and non governmental organisations in their efforts to protect the human rights of trafficked persons. Eligibility and financial management requirements should be clear and transparent for all eligible stakeholders. Performance evaluation should be an integral part of the funding mechanisms.

Each state party to the Palermo Protocol and the UNODC should create and implement an Action Plan for the achievement of the 10 Goals.

A mid-term meeting to evaluate the implementation of the Goals should be convened within 5 years.

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